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## **MINUTES OF COUNCIL STUDY MEETING – AUGUST 26, 2008**

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THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, AUGUST 26, 2008, AT 4:30 P.M. IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

### **THE FOLLOWING MEMBERS WERE PRESENT:**

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

### **ABSENT:**

Corey Rushton

### **STAFF PRESENT:**

Paul Isaac, Assistant City Manager  
Richard Catten, City Attorney  
John Evans, Fire Chief  
Joseph Moore, CED Director  
Russell Willardson, Public Works Director  
Jim Welch, Finance Director  
Buzz Nielsen, Police Chief  
Gregg Cudworth, Acting Parks and Recreation Director  
Nicole Cottle, Law Department  
John Janson, CED Department  
Brent Garlick, CED Department  
Ralph Lee, CED Department  
Hannah Thiel, CED Department  
Aaron Crim, Administration  
Craig Thomas, Administration  
Owen Jackson, Administration  
Dan Johnson, Public Works Department  
Erik Brodnum, Public Works Department

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Virginia Duke, Public Works Department

Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF SPECIAL STUDY MEETING HELD AUGUST 7, 2008**

The Council read and considered the Minutes of the Special Study Meeting held August 7, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Special Study Meeting held August 7, 2008, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

2. **APPROVAL OF MINUTES OF STUDY MEETING HELD AUGUST 12, 2008**

The Council read and considered the Minutes of the Study Meeting held August 12, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held August 12, 2008, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

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**3. PRESENTATION, TODD MARRIOTT, UTOPIA EXECUTIVE DIRECTOR**

City Manager, Wayne Pyle, stated upon request of the City Council, the new Executive Director of UTOPIA, Todd Marriott, had been invited to meet City officials and provide an update regarding UTOPIA's operations and progress.

Todd Marriott expressed appreciation to the City Council for the opportunity of discussing and providing an update regarding UTOPIA. Mr. Marriott stated refinancing had taken place earlier this year and he discussed financial obligations and future plans for building one of the finest fiber optic networks in the United States. He reported regarding innovative marketing efforts, especially in some areas of West Valley City. He also discussed the great need for this infrastructure in member cities. Mr. Marriott reviewed four new service providers that had recently signed on with UTOPIA.

Mr. Marriott answered questions and addressed some concerns expressed by members of the City Council regarding missed opportunities in recent new developments to install fiber in homes and businesses during construction. Members of the Council inquired if there was a plan to remedy that situation. Some members of the Council advised that residents were frustrated because UTOPIA made promises and had not been able to deliver services and people had therefore signed up with other providers. Members of the City Council inquired regarding specific marketing efforts in West Valley City, including strategies for educating residents that UTOPIA continued to move forward.

Mayor Nordfelt stated his concerns had been greatly assuaged by Mr. Marriott's comments and he looked forward to a great working relationship with UTOPIA. Members of the City Council expressed appreciation to Mr. Marriott for the information presented.

**4. REVIEW AGENDA FOR REGULAR MEETING SCHEDULED AUGUST 26, 2008**

City Manager, Wayne Pyle, stated several items had been added to the Agenda for the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M., and he discussed those items and others, as follows:

**Item No. 9. D. – RESOLUTION NO. 08-227, APPROVE REAL ESTATE PURCHASE AGREEMENT BETWEEN WEST VALLEY CITY AND GENEVA ROCK PRODUCTS, INC. FOR SALE OF CITY PROPERTY LOCATED AT APPROXIMATELY 5371 SOUTH 6055 WEST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-227 which would approve a Real Estate Purchase Agreement between West Valley City and Geneva Rock Products, Inc. for sale of City property located at approximately 5371 South 6055 West.

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The City Manager reported a new draft of the proposed Resolution had been distributed to the City Council that added language regarding declaring the subject property surplus.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-227 at the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M.

### **Item No. 9. G. – RESOLUTION NO. 08-234, REAFFIRM ADOPTION OF THE FINAL BUDGET OF WEST VALLEY CITY FOR FISCAL YEAR BEGINNING JULY 1, 2008, AND ENDING JUNE 30, 2009; REDUCING THE PREVIOUSLY ADOPTED RATE OF TAX, AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN WEST VALLEY CITY, UTAH, TAXABLE BY LAW FOR THE YEAR 2008**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-234 which would reaffirm adoption of the Final Budget of West Valley City for the fiscal year beginning July 1, 2008, and ending June 30, 2009; reduce the previously adopted rate of tax, and levy taxes upon all real and personal property within West Valley City, Utah, taxable by law for the year 2008.

Mr. Pyle stated the proposed Resolution would reduce the 2008 tax rate for general property taxes from .003354 to .003171, and would reaffirm adoption of the City's Final Budget for the 2008-2009 fiscal year.

The City Manager reported that on August 12, 2008, the City Council adopted Resolution No. 08-215 which complied with the statutory deadline for adoption of the Final Budget and tax levy rate. He further stated, however, the tax rate set forth in that resolution had been incorrect due to the Council's decision to not adopt the judgment levy. He stated the rate had been recalculated by the Salt Lake County Assessor's Office and the rate changed the tax levy rate to the corrected rate of .003171.

Mr. Pyle further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-234 at the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M.

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### **Item No. 9. H. – RESOLUTION NO. 08-235, APPROVE THE PURCHASE OF REPLACEMENT VEHICLES FROM TONY DIVINO TOYOTA FOR USE BY THE POLICE DEPARTMENT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-235 which would approve the purchase of replacement vehicles from Tony Divino Toyota in an amount not to exceed \$270,000.00 for use by the Police Department.

Mr. Pyle stated the City had selected Tony Divino Toyota as supplier for 11 vehicles as they held the State contract to supply the vehicles that met the Police Department needs. He advised the Fleet Manager had determined the vehicles described in a list as provided to the City Council, would be the most efficient vehicles for the intended purposes.

The City Manager stated this item had been added to the Agenda to take advantage of pricing prior to the end of the current model year.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-235 at the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M.

### **Item No. 9. I. – RESOLUTION NO. 08-236, APPROVE THE PURCHASE OF REPLACEMENT VEHICLES FROM KEN GARFF FORD FOR USE BY VARIOUS CITY DEPARTMENTS**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-236 which would approve the purchase of replacement vehicles from Ken Garff Ford in an amount not to exceed \$485,000.00 for use by various City departments.

Mr. Pyle stated the proposed Resolution authorized purchase of 20 vehicles as shown on a list provided to the City Council. He advised the Fleet Manager had met with City Departments to review their needs and determined the proposed vehicles would be the most efficient vehicles for respective intended purposes.

The City Manager stated this item had been added to the Agenda to take advantage of pricing prior to the end of the current model year.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-236 at the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M.

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### **Item No. 8. A. – PUBLIC HEARING, APPLICATION NO. ZT-9-2008, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO THE TEMPORARY SIGN ORDINANCE, SECTION 11-5 OF THE WEST VALLEY CITY MUNICIPAL CODE**

#### **ACTION: CONSIDER ORDINANCE NO. 08-39, AMENDING VARIOUS SECTIONS OF TITLE 11 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING THE TEMPORARY SIGN ORDINANCE**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. ZT-9-2008, filed by West Valley City, requesting a zone text amendment to the Temporary Sign Ordinance, Section 11-5 of the West Valley City Municipal Code. He discussed proposed Ordinance No. 08-39 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

#### **ORDINANCE NO. 08-39, AMENDING VARIOUS SECTIONS OF TITLE 11 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING THE TEMPORARY SIGN ORDINANCE**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 08-39 which would amend various sections of Title 11 of the West Valley City Municipal Code regarding the Temporary Sign Ordinance.

Mr. Pyle stated with the implementation of the new City department that would focus more on cleaning up the City, it had become apparent the Temporary Sign Ordinance needed some modifications to aid in the enforcement process. He indicated the text change would reorganize, clean up, and add regulations to that ordinance. The existing ordinance minimally referred to temporary signs in various places which had created some confusion as to the City's standards.

The City Manager reported the text change would create a 90 day time limit for temporary signs, other than window signs, and limit businesses to one temporary sign. He also stated an exception would be for grand openings where businesses could have multiple signs and various sign types, which were otherwise prohibited, for 30 days after approval of a business license.

Mr. Pyle discussed a list of proposed changes summarized as follows:

1. Further types of temporary signs added to definition
2. General clean up of ordinance

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3. Flags (permanent) added under Miscellaneous – No limit to number for government flags; commercial flags have to be reviewed by Planning Commission as conditional use
4. Bus bench standards added under Miscellaneous – franchise agreement required with City
5. Newspaper stands added under Miscellaneous – maximum one stand allowed with a maximum of four printed material receptacles
6. On-site light pole banner signs added under Miscellaneous – Maximum of 12 square feet per pole
7. Reformat ordinance to keep all temporary use signs together
8. Temporary Signs
  - a. Permit sticker for sign required (new budget would have to be considered for this)
  - b. Time limit of 90 days with one allowed every six months (on 90, off 90)
  - c. Banner signs – one/business – maximum 50 square feet until the tenant space is minimum 150 linear feet when the business can have 10% of front façade
  - d. Banner signs – one allowed per business until get permanent signs – maximum 90 days
  - e. Government flags – three allowed per business or dwelling – in conjunction with U. S. flag code
  - f. Merchandise display clean up – out of right-of-way including on and off site sidewalks
  - g. Prohibited signs except for grand opening (A-frame, mobile, off premise, mobile/pedestal, feathers, flags used for advertising, streamers/pennant-type streamers, inflatable)
  - h. Grand opening allows business owner to use whatever signage they like for 30 days from issuance of business license (must keep out of clear view and right-of-way)
  - i. Window signs – Maximum 25% of window coverage per business must be changed every two weeks unless exhibits store hours and address, and business name and logo
9. Roof sign revamp

City Manager, Wayne Pyle, advised staff had met with ChamberWest President/CEO, Alan Anderson, who indicated his support of the initial ordinance text change as proposed. He indicated the Planning Commission recommended approval of the text change subject to a maximum of 25% window coverage. Alan Anderson indicated the best alternative for businesses would be to allow 50% window coverage where one window could be covered and one window could be free of signage, or a business could

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have a banner across the top of multiple windows. City Manager, Wayne Pyle, advised that Mr. Anderson was in attendance at the meeting to answer any questions.

Mr. Pyle indicated clarification was needed regarding issues and concerns brought up during the Study Meeting held the previous week. He directed additional information be provided to the City Council.

Hannah Thiel, CED Department, distributed and discussed the written information regarding issues previously raised by the City Council, ChamberWest, and car dealers, including proposed changes to the ordinance. Ms. Thiel also distributed copies of a letter to the City Council from Alan Anderson, President and CEO of ChamberWest. She further discussed specific issues previously raised by the City Council.

City Manager, Wayne Pyle, discussed aesthetics and enforceability issues which were of the greatest concern to City staff.

Councilmember Winder inquired regarding procedural issues indicating he thought there might be many amendments to the proposed ordinance. City Attorney, Richard Catten, discussed and answered various legal questions.

Hannah Thiel, CED Department, displayed photographs of examples of some signs that would not be in compliance with the proposed ordinance. Ms. Thiel also reported regarding comments received from representatives of Henry Day Ford and Gus Paulos Chevrolet.

City Manager, Wayne Pyle, and Hannah Thiel, CED Department, answered questions from members of the City Council.

City Manager, Wayne Pyle, further discussed the proposed Ordinance and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. ZT-9-2008 and consider proposed Ordinance No. 08-39 at the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M.

### **Item No. 11. A. – GENERAL PLAN DISCUSSION – INTRODUCTION, ADMINISTRATION, ANNEXATION, LAND USE, GENERAL PLAN MAP AND ECONOMIC DEVELOPMENT**

City Manager, Wayne Pyle, reminded the Council the General Plan discussions previously scheduled the past two weeks had been rescheduled due to time constraints. Mr. Pyle stated this item had been placed on the subject Agenda in error and he instructed

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the City Recorder to schedule the General Plan discussion for the Regular Council Meeting September 2, 2008, under Communications.

5. **RESOLUTION NO. 08-237, APPROVE AGREEMENT WITH KELBY ELECTRIC, INC. FOR INSTALLATION OF STREET LIGHTING ON THE SOUTH SIDE OF 6200 SOUTH BETWEEN 6105 WEST AND 6400 WEST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-237 which would approve an Agreement with Kelby Electric, Inc. in the amount of \$46,700.00 for installation of street lighting on the south side of 6200 South between 6105 West and 6400 West.

Mr. Pyle stated the proposed contract would authorize installation of nine street lights. He reported quotes had been solicited from three electrical contractors and Kelby Electric, Inc. was recommended as the low quote for that work. He further advised the City had good experience with construction done by Kelby Electric, Inc. in the past.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-237 at the Regular Council Meeting scheduled August 26, 2008, at 6:30 P.M.

6. **COMMUNICATIONS:**

A. **REVIEW AND DISCUSSION OF JORDAN RIVER MARKET PLACE PROPOSALS**

Upon direction by City Manager, Wayne Pyle, Ralph Lee, CED Department, facilitated a discussion regarding the Jordan River Market Place proposals.

Mayor Nordfelt stated this was an opportunity for the City Council to review proposals and ask questions regarding this matter. He also noted representatives of the two developers were in attendance at the meeting.

Ralph Lee, CED Department, distributed and discussed written information, including City staff's views regarding pros and cons of each proposal, and the financing. He stated proposed selection criteria had also been included for consideration and use by the Council, if desired.

Councilmember Winder noted MVM submitted additional information incorporating the Council's comments and feedback. He suggested allowing Ascent Construction that same opportunity.

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Ralph Lee, CED Department, answered questions from members of the City Council. The developers in attendance at the meeting also answered questions from members of the City Council.

Councilmember Winder stated he had previously sent an e-mail to members of the Council outlining his thoughts regarding the proposals.

Councilmember Brooks stated staff had recommended criteria to consider in regard to the selection process and he suggested each Council member rate the proposals to be discussed at a future meeting. Councilmember Winder concurred and stated the information could then provide guidance to staff.

After further discussion, Mayor Nordfelt requested this matter be placed on the Agenda for the Study Meeting scheduled September 2, 2008, at 4:30 P.M. for further discussion.

### **B. SOUTHWEST EDA DISCUSSION**

City Manager, Wayne Pyle, advised that due to time constraints this item would be rescheduled.

### **C. COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: August 28, 2008: ChamberWest General Membership Meeting – Speaker: Sen. Bob Bennett, E-Center, 11:45 A.M.; September 1, 2008: Labor Day Holiday – City Hall closed; September 2, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 4, 2008: Salt Lake County Council of Government's General Assembly – Panel Discussion on Funding Option for Mountain View Corridor & Joint Meeting with Salt Lake County Council, UCCC, 6:00 P.M.; September 9, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 10-12, 2008: ULCT Annual Conference, Salt Lake City; September 11 thru November 12, 2008: Warp Meets Weft Textile Exhibit, UCCC; September 16, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 20, 2008: West Valley Walking Tour 2008 at Decker Lake Trail, 8:00 A.M.; September 20, 2008: Chilean Independence Day, UCCC; September 23, 2008: Council Study Meeting 4:30 P.M., Regular Council Meeting, 6:30 P.M.; September 27, 2008: Worldwide Day of Play, Fitness Center; October 7, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 11, 2008: West Valley Walking Tour 2008 – Hunter Village and Sugar Plum Trails, 8:00 A.M.; October 14, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 15, 2008: Lake Park

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Golf Social, Stonebridge Golf Course, 8:00 A.M.; October 17-18, 2008: Tahitian Fete, UCCC; October 20-31, 2008: Early Voting at City Hall, Multi-Purpose Room, 12 Noon – 7:00 P.M. (October 31, 2008 – 11:00 A.M. – 6:00 P.M.); October 21, 2008: Council Study Meeting, 4:30 P.M. at Harman Home Senior Center, Regular Council Meeting, 6:30 P.M.; October 28, 2008: Council Study Meeting, 4:30 P.M. at UCCC, Regular Council Meeting 6:30 P.M.; November 1, 2008: Utah Folk Arts Celebration and Day of the Dead Fiesta, UCCC; November 4, 2008: General Election, Polls Open 7:00 A.M. – 8:00 P.M.; November 4, 2008: Council Study Meeting, 4:30 P.M. at UCCC, Regular Council Meeting, 6:30 P.M.; November 11, 2008: Veteran's Day Holiday – City Hall closed; November 18, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 22, 2008: Turkey Trot 5k Run/Walk at Centennial Park; November 22, 2008: Winter Ethnic Arts Market, UCCC; November 25, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 27, 2008: Thanksgiving Holiday – City Hall closed; December 1 thru January 6, 2009: Trees of Diversity Exhibit, UCCC; December 1, 2008: Walk with Santa at Centennial Park, 6:00 P.M.; December 2, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 8, 2008: Winter Concert, UCCC; December 9, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 16, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 24 & 25, 2008: Christmas Holiday – City Hall closed.

**7. COUNCIL REPORTS:**

**A. COUNCILMEMBER RUSS BROOKS – CHAMBER/CITY MAGAZINE PROJECT**

Councilmember Brooks advised a new combined Chamber/City magazine was currently being developed.

**B. MAYOR DENNIS NORDFELT – THANK YOU CARDS; UTA FUNDING – WEST SALT LAKE COUNTY TRANSIT STUDY; KEARNS TOWN MEETING; RIBBON CUTTING FOR WELLS FARGO BANK; AND TRAFFIC ISSUES ON 6200 SOUTH**

Mayor Dennis Nordfelt advised thank you cards had been received from the James family and Astill family expressing appreciation for flowers sent from the City.

Mayor Nordfelt advised UTA (Utah Transit Authority) had funded the west Salt Lake County transit study to anticipate needs for transit up to the year 2040. He stated the CED Director and Public Works Director, along with himself, would participate in that study.

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Mayor Nordfelt advised regarding a recent Kearns town meeting and reported regarding issues discussed at that meeting.

Mayor Nordfelt also advised regarding a scheduled ribbon cutting for the new Wells Fargo Bank scheduled September 17, 2008, at 1:00 P.M.

Mayor Nordfelt discussed traffic issues on 6200 South including impact of traffic congestion in Taylorsville City.

**8. SCHEDULED FROM 5:45 P.M. – 6:30 P.M. IN LOBBY OF CITY HALL:**

**A. RECEPTION FOR LOOKIN' GOOD YARD AWARD WINNERS**

Mayor Nordfelt invited the City Council, City staff, and others to attend a reception for Lookin' Good yard award winners scheduled in the City Hall lobby. The City Council attended the reception until 6:30 P.M.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, AUGUST 26, 2008, WAS ADJOURNED AT 5:58 P.M., BY MAYOR NORDFELT.

I hereby certify that the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, August 26, 2008.

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Sheri McKendrick, MMC  
City Recorder

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